

in this part not required by NEPA or the CEQ Regulations. Such waivers shall not be used to limit compliance with NEPA or the CEQ Regulations but only to substitute other, more suitable procedures relative to the context of the particular action. Such waivers may also be granted on occasion to allow experimentation in procedures in order to allow growth in the EIAP. This authority may not be delegated.

[64 FR 38129, July 15, 1999, as amended at 66 FR 16869, Mar. 28, 2001]

**§ 989.37 Procedures for analysis abroad.**

Procedures for analysis of environmental actions abroad are contained in 32 CFR Part 187. That directive provides comprehensive policies, definitions, and procedures for implementing E.O. 12114. For analysis of Air Force actions abroad, 32 CFR Part 187 will be followed.

**§ 989.38 Requirements for analysis abroad.**

(a) The EPF will generally perform the same functions for analysis of actions abroad that it performs in the United States. In addition to the requirements of 32 CFR Part 187, the following Air Force specific rules apply:

(b) For EAs dealing with global commons (geographic areas beyond the jurisdiction of the United States or any foreign nation), HQ USAF/ILEB will review actions that are above the MAJCOM approval authority. In this instance, approval authority refers to the same approval authority that would apply to an EA in the United States. The EPF documents a decision not to do an EIS.

(c) For EISs dealing with the global commons, the EPF provides sufficient copies to HQ USAF/ILEB for the HQ USAF ESOHC review and AFCEE/EC technical review. After ESOHC review, the EPF makes a recommendation as to whether the proposed draft EIS will be released as a draft EIS.

(d) For environmental studies and environmental reviews, forward, when appropriate, environmental studies and reviews to HQ USAF/ILEB for coordination among appropriate federal agencies. HQ USAF/ILEB makes environmental studies and reviews available to

the Department of State and other interested federal agencies, and, on request, to the United States public, in accordance with 32 CFR Part 187. HQ USAF/ILEB also may inform interested foreign governments or furnish copies of studies, in accordance with 32 CFR Part 187.

[64 FR 38129, July 15, 1999, as amended at 66 FR 16869, Mar. 28, 2001]

**APPENDIX A TO PART 989—GLOSSARY OF REFERENCES, ABBREVIATIONS, ACRONYMS, AND TERMS**

*References*

*Legislative*

- 10 U.S.C. 2687, *Base Closures and Realignment*
- 42 U.S.C. 4321–4347, *National Environmental Policy Act of 1969*
- 42 U.S.C. 7506(c), *Clean Air Act Amendments of 1990*
- 42 U.S.C. 13101(b), *Pollution Prevention Act of 1990*
- 43 U.S.C. 155–158, *Engle Act*

*Executive Orders*

- Executive Order 11988, *Floodplain Management*, May 24, 1977
- Executive Order 11990, *Protection of Wetlands*, May 24, 1977
- Executive Order 12088, *Federal Compliance with Pollution Control Standards*.
- Executive Order 12114, *Environmental Effects Abroad of Major Federal Actions*, January 4, 1979
- Executive Order 12372, *Intergovernmental Review of Federal Programs*, July 14, 1982
- Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, February 11, 1994

*U.S. Government Agency Publications*

- Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act*, 40 CFR parts 1500–1508
- Department of Defense Directive (DoDD) 4715.1, *Environmental Security*
- Department of Defense Directive (DoDD) 6050.7, *Environmental Effects Abroad of Major Department of Defense Actions*, March 31, 1979 (32 CFR Part 187)
- Department of Defense Instruction (DoDI) 4715.9, *Environmental Planning and Analysis*
- DoDD 5000.1, *Defense Acquisition*
- Department of Defense Regulation 5000.2–R, *Mandatory Procedures for Major Defense Acquisition Programs and Major Automated Information System Acquisition Programs*